

## **SURTASS LFA Sonar**

### *History*

- On 25 June 1997, Cornell University submitted an application to NOAA's National Marine Fisheries Service for a Scientific Research permit for the Low Frequency Sound Scientific Research Program under the Marine Mammal Protection Act (MMPA).
- In June 1997, NOAA released the Environmental Assessment for Low Frequency Sound Scientific Research Program.
- On September 8, 1997, NOAA Fisheries issued the Scientific Research Permit #875-1401.
- In January 1998, NOAA Fisheries issued the Environmental Assessment for Amendment to NOAA Fisheries Permit #875-1401 for Low Frequency Sound Scientific Research Program off the Central California Coast.
- In February, 1998, NOAA Fisheries issued the Environmental Assessment for Amendment to NOAA Fisheries Permit #875-1401 for Low Frequency Sound Scientific Research Program, Island of Hawaii, March-April 1998.
- The Low-Frequency Sonar Scientific Research Permit (LFS SRP) Phase I (5 Sept to 21 Oct 1997), Phase II (8 Jan to 27 Jan 1998) and Phase III (26 Feb to 29 Mar 1998) were conducted.
- On July 23, 1999, the U.S. Navy released for public comment a draft environmental impact statement (draft EIS) on the world-wide deployment of its SURTASS LFA sonar system. The public comment period on the Draft EIS ended on October 28, 1999.
- On August 12, 1999, NOAA Fisheries received an application from the U.S. Navy requesting a small take exemption under section 101(a)(5)(A) of the MMPA for the taking of marine mammals incidental to operation of the SURTASS LFA sonar for a period of time not to exceed five years, beginning in FY 2000.
- The Navy held five public outreach meetings between August 19 and October 5, 1999 in Seattle, WA; Boston, MA; Miami, FL; Los Angeles, CA; and Honolulu, HI. In addition, the Navy held public hearings under NEPA on Sept. 29, 1999 in Norfolk VA, October 12<sup>th</sup> in San Diego, CA and October 14<sup>th</sup> in Honolulu, HI.
- On October 4, 1999, the Navy submitted a Biological Assessment to NOAA Fisheries to initiate consultation under section 7 of the ESA.
- NOAA Fisheries published an *Advance Notice of Proposed Rulemaking* (ANPR) for this

action on October 22, 1999 (64 FR 57026), requesting the public to submit comments on this small take exemption under section 101(a)(5)(A) of the Marine Mammal Protection Act (MMPA).

- On February 2, 2001 (65 FR 8788), EPA announced receipt of a Final EIS from the U.S. Navy on the deployment of SURTASS LFA sonar.
- On March 19, 2001 (66 FR 15375), NOAA Fisheries published a proposed rule to authorize the U.S. Navy to take small numbers of marine mammals incidental to operation of SURTASS LFA sonar and requested comments, information, and suggestions concerning the request and the regulations proposed to govern the take. The comment period closed on May 31, 2001.
- NOAA Fisheries held public hearings in Los Angeles, California on April 26, 2001, Honolulu, Hawaii, on April 28, 2001, and Silver Spring, Maryland on May 3, 2001.
- NOAA Fisheries concluded consultation with the Navy on this action on May 30, 2002. The conclusion of that consultation was that operation of the SURTASS LFA sonar system for testing, training and military operations and the issuance by NMFS of a small take authorization for this activity are not likely to jeopardize the continued existence of any endangered or threatened species under the jurisdiction of NOAA Fisheries.
- On July 16, 2002, NOAA Fisheries will publish a final rule authorizing the Navy to incidentally harass marine mammals incidental to operation of SURTASS LFA sonar.